



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MICROBOT MEDICAL, INC.,

Plaintiff,

- against -

ALLIANCE INVESTMENT MANAGEMENT,
LTD.,

Defendant.
-----X

19-cv-3782 (GBD) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order addresses the parties' recent correspondence regarding discovery and motion issues. (See Dkt. 37, 39.) For the reasons stated during the conference on November 7, 2019:

1. Plaintiff's request concerning wholesale designation of material as Confidential is denied as moot; Defendant has agreed to redact specific information.

2. Defendant's request to stay discovery in light of its recent summary judgment filing is denied.

3. Plaintiff's request that Defendant produce complete trading records (as distinct from monthly trading statements) relating to the purchases and sales of Microbot shares is granted. Defendant shall produce these materials to Plaintiff by November 21, 2019.

4. Plaintiff is granted leave to file a second amended complaint to add Joseph Mona as a defendant. However, Plaintiff will have to make its own determination as to whether it has a good faith basis to maintain Alliance Investment Management, Ltd. as a defendant; and, if not, whether Plaintiff can in good faith proceed with amending the

current complaint or instead will need to take some other action. If Plaintiff proceeds with filing a second amended complaint, Plaintiff shall do so within two weeks of receipt of the trading records produced pursuant to paragraph 2 above.

The Clerk is respectfully directed to terminate the motion at Dkt. 37.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: November 7, 2019
New York, New York